

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAWN A. MUZOLESKI,

Defendant.

Crim. Action No. 05- 22


WAIVER OF INDICTMENT

1. Dawn A. Muzoleski, the above-named defendant, who is accused of violating Title 18, United States Code, Section 2113(b), Bank Theft, being advised of the nature of the charge and of her rights, hereby knowingly, voluntarily and intelligently waives prosecution by indictment and consents that the proceeding may be by information instead of by indictment.

2. The defendant understands that (a) unless she waives indictment, she could not be charged with this offense unless the Grand Jury found probable cause to believe she committed the offense and returned an indictment; (b) the Grand Jury is composed of at least sixteen, but not more than twenty-three lay persons, and at least twelve of those grand jurors must find probable cause to believe that the defendant committed this offense before an indictment could be returned; and (c) by waiving indictment, the government will be proceeding by a document written by the United States Attorney and called an information and the defendant will be prosecuted on that information, rather than on an indictment.

3. The defendant has read and reviewed with her counsel the charge in the information, and is satisfied that her counsel has properly explained the charge and this waiver to her.

4. No one has made the defendant any promises or threatened or forced the defendant to waive indictment.


Defendant
Dawn A. Muzoleski


Counsel for Defendant
Eugene J. Maurer, Jr.

Date: 3-15-05